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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

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9 HEZEKIAH ESAU BAKER,
10 Plaintiff,

11 vs.

12 LAS VEGAS METRO POLICE DEPARTMENT,
13 *et al.*,
Defendants.

Case No. 2:22-cv-01242-RFB-VCF

**ORDER TO ADMINISTRATIVELY CLOSE
CASE**

14 I previously denied pro se plaintiff Hezekiah Esau Baker's application to proceed in forma
15 pauperis (IFP) without prejudice. ECF No. 3. I gave plaintiff until September 14th, 2022, to either file a
16 new IFP application that complied with my order or to pay the filing fee. *Id.* The deadline has passed,
17 and plaintiff has not paid the filing fee or submitted a new IFP application. Since plaintiff has not
18 commenced this action, I order that this case be administratively closed.

19
20 ACCORDINGLY,

21 I ORDER that the Clerk of Court is directed to administratively CLOSE this case.

22 **NOTICE**

23 Pursuant to Local Rules IB 3-1 and IB 3-2, a party may object to orders and reports and
24 recommendations issued by the magistrate judge. Objections must be in writing and filed with the Clerk
25 of the Court within fourteen days. LR IB 3-1, 3-2. The Supreme Court has held that the courts of appeal

1 may determine that an appeal has been waived due to the failure to file objections within the specified
2 time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985).

3 This circuit has also held that (1) failure to file objections within the specified time and (2)
4 failure to properly address and brief the objectionable issues waives the right to appeal the District
5 Court's order and/or appeal factual issues from the order of the District Court. *Martinez v. Ylst*, 951 F.2d
6 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).
7 Pursuant to LR IA 3-1, the plaintiff must immediately file written notification with the court of any
8 change of address. The notification must include proof of service upon each opposing party's attorney,
9 or upon the opposing party if the party is unrepresented by counsel. Failure to comply with this rule may
10 result in dismissal of the action.

11 IT IS SO ORDERED.

12 DATED this 19th day of September 2022.

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15 CAM FERENBACH
16 UNITED STATES MAGISTRATE JUDGE
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